

Notice of Allowability

Application No.

10/641,146

Examiner

Dirk Wright

Applicant(s)

KADOTA, KEIJI

Art Unit

3681

WJ

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to _____.
 2. ☒ The allowed claim(s) is/are 1-18.
 3. ☒ The drawings filed on 15 August 2003 are accepted by the Examiner.
 4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 12052003
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Claims Allowed

Claims 1-18 are allowable over the prior art of record. The claims are allowed because the prior art does not anticipate nor render obvious the invention of a vehicle including a method and apparatus for travel direction determining section for determining whether a forward or a reverse command has been issue, an electric motor counterelectromotive force detecting section configured to detect a counterelectromotive force of an electric motor that drives a wheel of the vehicle, and a wheel rotational direction determining section configured to determine whether a wheel is rotating in a direction opposite to that indicated by the travel direction determining section.

Prior Art Discussed

The examiner has considered the references cited by the applicant in his Information Disclosure Statement, filed December 5, 2003. None of the references show all of the features of the claimed invention. The co-pending patent applications cited by applicant have also been considered and do not claim conflicting subject matter.

The references cited by the examiner are deemed to be pertinent to applicant's disclosure. The references to Shimizu '304, Shimizu '759 and Kadota '458 are all assigned to the instant assignee but do not claim conflicting subject matter. Hata '809 shows a hybrid vehicle control where an electric motor is used for reverse operation of the vehicle and the main drive train is disconnected during reverse operation, but does not show a counterelectromotive force detecting section, among other defects. Nada '599 shows an abnormality detecting method and apparatus for a hybrid vehicle but does not show a counterelectromotive force detection section, among other defects.

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dirk Wright whose telephone number is 703-308-2160. The examiner can normally be reached on Monday through Friday, 8AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Marmor can be reached on 703-308-0830. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Dirk Wright
Primary Examiner
Art Unit 3681



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Saturday, November 20, 2004